

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

FILED: December 6, 2002

FILED

DEC 10 2002

No. 01-1813
CA-00-55-7-F

DAVID W. DANIEL, CLERK
US DISTRICT COURT, EDNC
BY _____ DEP. CLERK

SHERRI WRIGHT BUFFKIN,

Plaintiff - Appellant,

versus

SMITHFIELD PACKING COMPANY, INCORPORATED; JERE
NULL,

Defendants - Appellees.

O R D E R

Sherri Wright Buffkin appealed the district court's order denying relief on her employment discrimination claims based upon her failure to exhaust administrative remedies and declining to exercise supplemental jurisdiction over her state law claims. We issued an opinion on June 24, 2002, vacating the district court's order and remanding for further proceedings in light of the Supreme Court's decision in Edelman v. Lynchburg College, 535 U.S. 106 (2001). See Buffkin v. Smithfield Packing Co., No. 01-1813 (4th Cir. June 24, 2002) (unpublished). Appellees moved for clarification or rehearing of our decision.

While the motion for clarification or rehearing was pending, the parties filed on November 12, 2002, a stipulation of dismissal with prejudice, stating that Appellant voluntarily dismissed all claims against Appellees with each party bearing its own costs. We dismiss the appeal as moot pursuant to Fed. R. App. P. 42(b), and withdraw our June 24 opinion. We also dismiss the motion for clarification or rehearing as moot.

Entered at the direction of Judge Widener, with the concurrence of Judge Motz and Judge Traxler.

For the Court,

/s/ Patricia S. Connor
CLERK